



[OMB Control No. 3090-0306; Docket No. 2022-0001; Sequence No. 14]

Submission for OMB Review; General Services Administration

Acquisition Regulation; Transactional Data Reporting

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Notice of request for comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division is submitting a request to the Office of Management and Budget (OMB) to review and approve an extension of a previously approved information collection requirement regarding OMB Control No. 3090-0306, Transactional Data Reporting.

DATES: Submit comments on or before: **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under Review - Open for Public Comments"; or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas O'Linn,
Procurement Analyst, General Services Acquisition Policy

Division, GSA, 202-445-0390 or email gsarpolicy@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

This information collection is for GSA Federal Supply Schedules (FSS) and non-FSS offerors and contractors subject to transactional data report (TDR) requirements. Transactional data encompasses the historical details of the products or services delivered by a contractor during the performance of task or delivery orders issued against a contract subject to TDR requirements. TDR requirements are found within Alternate I of General Services Administration Acquisition Regulation (GSAR) clause 552.238-80, Industrial Funding Fee and Sales Reporting, and 552.216-75, Transactional Data Reporting. GSAR clauses 552.216-70, Economic Price Adjustment—FSS Multiple Award Schedule Contracts (Deviation II); Alternate I of 552.238-81, Price Reductions; 552.238-83 Examination of Records by GSA; and 552.238-85, Contractor's Billing Responsibilities, are additional GSAR clause directly associated with FSS contracts subject to these requirements. This information collection does not apply to GSA FSS offerors and contractors subject to pricing disclosures and sales reporting requirements. The burden associated with pricing disclosures and sales reporting requirements is covered under information collection OMB control number 3090-0235, Federal Supply Schedule Pricing Disclosures and Sales Reporting.

B. Annual Reporting Burden

The total estimated annual public cost burden for this information collection is estimated to be \$18,104,484.46. The total estimated annual public burden hours resulting from this information collection is 281,344 hours. These numbers are calculated by adding up the total estimated annual burden cost/hour for each of the following GSAR clauses covered by this information collection: 552.216-75, Transactional Data Reporting; Alternate I of 552.238-80, Industrial Funding Fee and Sales Reporting; Alternate I of 552.238-81, Price Reductions; 552.216-70, Economic Price Adjustment-FSS Multiple Award Schedule Contracts (Deviation II); 552.238-83, Examination of Records by GSA; and 552.238-85, Contractor's Billing Responsibilities.

Burden Cost/Hour Calculation.

Total estimated burden hour/cost for the basic version of 552.216-75, Transactional Data Reporting, and Alternate I of GSAR clause 552.238-80, Industrial Funding Fee and Sales Reporting.

The two primary activities associated with 552.216-75, Transactional Data Reporting, and Alternate I of GSAR clause 552.238-80, Industrial Funding Fee and Sales Reporting, are initial setup and monthly reporting. The below provides the basis for calculating these two activities.

Initial Setup:

- o Estimated hourly rate & job position equivalency. The estimated hourly cost associated with this task is based on the

task being accomplished by senior level personnel equivalent to a GS-14, Step 5 employee. A GS-14, Step 5 employee hourly rate for 2022 is \$82.51 ("Rest of U.S." locality using OPM Salary Table 2022-GS, Effective January 2022).

- o Estimated hours by system for initial set-up. A contractor complying with TDR requirements will absorb a one-time setup burden for purposes of establishing a reporting system (i.e., automated reporting system vs. manual reporting system). The estimated setup time varies between automated and manual reporting systems. GSA estimates the average one-time initial setup burden is 8 hours for a manual system and 240 hours for an automated system.

Monthly Reporting:

- o Estimated hourly rate & job position equivalency. The estimated hourly cost associated with this task is based on the task being accomplished by mid-level personnel equivalent to a GS-12, Step 5 employee. A GS-12, Step 5 employee hourly rate for 2022 is \$58.72 (i.e., using "Rest of U.S." locality within the OPM Salary Table for 2022-GS, Effective January 2022).

- o Categorization of contractors by sales revenue. GSA estimates the likelihood of contractors with lower to no reportable sales will spend relatively little time on reporting. In contrast, contractors with more reportable sales will face a higher reporting burden. To account for this difference, GSA is using the below sale revenue categories:

Category 1: No sales activity/revenue (i.e., \$0.00)

Category 2: Sales between \$0.01 and \$25,000.00

Category 3: Sales between \$25,000.01 and \$250,000.00

Category 4: Sales between \$250,000.01 and \$1 million

Category 5: Sales over \$1 million

The below table show the estimated number of contractors (i.e., both FSS and Non-FSS contractors) by sales revenue category:

Estimated number of FSS and Non-FSS contractors by sales revenue category			
	FSS	Non-FSS	FSS & Non-FSS
Category 1	100	622	722
Category 2	500	2	502
Category 3	1,000	32	1,032
Category 4	500	73	573
Category 5	672	418	1,090
	2,822	1,147	3,969

o Automated system vs. manual reporting system. GSA estimates the likelihood of a contractor creating an automated reporting system increases with a contractor's sales revenue. In contrast, contractors with little to no sales revenue are unlikely to expend the effort needed to establish an automated reporting system. To account for this difference, GSA is using the below table. The below table shows by sales revenue category the estimated percentage of the likelihood of a contractor using a manual reporting system vs automated reporting system:

Percentage of contractors by type of reporting system		
Sales Category	Manual System	Automated System
Category 1	100%	0%
Category 2	100%	0%
Category 3	90%	10%
Category 4	50%	50%

Category 5	10%	90%
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The following table show the estimated number of contractors for both FSS contracts and Non-FSS contracts by type of reporting system:

Estimated number of contractors for both FSS contracts and Non-FSS contracts by type of reporting system				
	Manual System (FSS)	Automated System (FSS)	Manual System (Non-FSS)	Automated System (Non-FSS)
Category 1	100	0	622	0
Category 2	500	0	2	0
Category 3	900	100	29	3
Category 4	275	275	36	37
Category 5	67	605	42	376
Totals	1,842	980	731	416

o Estimated monthly reporting time (hours) - by reporting system and sales revenue category. GSA estimates that the monthly reporting time varies by type of reporting system (i.e., manual or automated) and by respective sales revenue category. The below table shows GSA's estimated monthly reporting times per sales revenue category and system type:

Monthly Hours by type of reporting system and category		
	Manual Systems	Automated Systems
Category 1	0.25	2.00
Category 2	2.00	2.00
Category 3	4.00	2.00
Category 4	16.00	2.00
Category 5	48.00	2.00

Total estimated burden hour/cost for GSAR clause 552.216-75, Transactional Data Reporting.

Initial Setup.

Total estimated annual burden hours: 28,464

Total estimated annual cost burden : \$2,348,650.03

Monthly Reporting.

Total estimated annual burden hours: 44,394

Total estimated annual cost burden : \$2,606,982.16

Total estimated burden hour/cost for Alternate I of GSAR clause 552.238-80, Industrial Funding Fee and Sales Reporting.

Initial Setup.

Total estimated annual burden hours: 34,328

Total estimated annual cost burden : \$2,832,506.26

Monthly Reporting.

Total estimated annual burden hours: 170,412

Total estimated annual cost burden : \$10,007,231.69

Total estimated annual burden hour/cost for 552.216-70, Economic Price Adjustment-FSS Multiple Award Schedule Contracts (Deviation II).

Estimated # of responses per year:	461
Estimated burden hours per response:	<u>x 4.25</u>
Total estimated annual burden hours:	1,959.25

Estimated cost per hour:	<u>x \$82.51</u>
Total estimate annual cost burden:	\$161,663.60

Total estimated annual burden hour/cost for Alternate I of GSAR clause 552.238-81, Price Reductions.

Estimated # of responses per year:	25
Estimated burden hours per response:	<u>x 4.25</u>
Total estimated annual burden hours:	106

Estimated cost per hour**:	<u>x \$82.51</u>
Total estimate annual cost burden:	\$8,775.00

Total estimated annual burden hour/cost for GSAR clause 552.238-83, Examination of Records by GSA.

Estimated # of respondents per year:	8
Estimated burden hours per respondent:	<u>x 455</u>
Total estimated annual burden hours:	3,640

Estimated cost per hour**:	<u>x \$82.51</u>
Total estimated annual cost burden:	\$300,347.32

Total estimated annual burden hour/cost for GSAR clause 552.238-85, Contractor's Billing Responsibilities, is 0 burden hours/\$0.00 burden cost. The reason for zero burden being associated with this clause is because the record keeping requirement contained in this clause does not add any additional burden to what is already captured by Alternate I of GSAR clause 552.238-80, Industrial Funding Fee and Sales Reporting, which is covered by this information collection.

Total Estimated Annual Burden Hour/Cost

The total estimated annual burden hour/cost imposed by this information collection is as follows:

<u>Total estimated annual burden hours</u>	
FSS contracts:	210,446
Non-FSS contracts:	<u>72,858</u>
Total estimated annual burden hour:	281,344

<u>Total estimated annual cost burden</u>	
FSS contracts:	\$13,310,515.87
Non-FSS contracts:	<u>\$4,955,632.19</u>
Total estimated annual cost burden:	\$18,104,484.46

C. Public Comments

A 60-day notice published in the Federal Register at 87 FR 51418 on August 22, 2022. In response, GSA received a letter from the Coalition for Government Procurement (the Coalition). The following is a summary of the letter:

1. Comment. The Coalition supports the TDR program and generally agrees with GSA's assessment of the burden associated with the renewal of this information collection.

Response: GSA appreciates the Coalition's support of the TDR program and its assessment of the burden for this renewal.

2. *Comment:* The Coalition believes GSA underestimates the average burden of automated reporting in both absolute time required and the complexity of the process. Specifically, the Coalition believes the estimated burden for automated reporting should be 10 hours.

Response: GSA believes the estimated hours for automated reporting is valid given TDR imposes a progressive burden—one that increases with a contractor's sales volume. Namely, reporting time increases with a contractor's applicable sales volume, so contractors with lower to no reportable sales will spend little time on monthly reporting, while those contractors with more reportable sales may have a higher reporting burden, such as the suggested 10 hours.

3. *Comment:* The Coalition recommends GSA expand the use of TDR as an option across the MAS Program and provide further guidance and training on the use of TDR data.

Response: GSA anticipates expanding the use of TDR as an option across the MAS program as well as providing any additional guidance and training as part of any such expansion.

OBTAINING COPIES OF PROPOSALS: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202-501-4755 or emailing GSARegSec@gsa.gov. Please cite "Information Collection 3090-0306, Transactional Data Reporting", in all correspondence.

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